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May 16, 2006

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Attn: Art Unit 3653
Patent Examiner Michael E. Butler

Re: **Appeal Nos.:** 2005-0064 and 2003-1769
Application Serial No.: 09/014,076
Confirmation No.: 4092
Applicants: McGrady, et al.
Title: Method For Tracking And
Dispensing Medical Items
Docket No.: D-1056 DIV3

Sir:

Please find enclosed Applicants' Response to the Office Action dated May 3, 2006 for filing in the above-referenced application. Also enclosed is a 37 CFR § 1.131 Declaration.

No fee is deemed required. However, the Commissioner is authorized to charge any necessary fee associated with this filing (including any need for an extension of time) and any other fee due to Deposit Account 10-0637.

Very truly yours,

Ralph E. Jocke
Reg. No. 31,029

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this document and the documents indicated as enclosed herewith are being deposited with the U.S. Postal Service as Express Mail Post Office to addressee in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 this 19th day of May 2006.

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D-1056 DIV3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Appeal Nos.: 2005-0064 and 2003-1769)	
)	
In re Application of:)	
R. Michael McGrady, et al.)	Art Unit 3653
)	
Application No.: 09/014,076)	
)	
Confirmation No.: 4092)	Patent Examiner
)	Michael E. Butler
Filed: January 27, 1998)	
)	
Title: Method For Tracking And)	
Dispensing Medical Items)	

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This Application remains under appeal. In response to the Advisory Action dated May 3, 2006, kindly enter Appellants' remarks without prejudice as follows: